

**MORE
AFFIDAVITS
ARE MADE
PUBLIC
BY FRANK
DEFENSE**

Mrs. J. B. Simmons
Testi-

fies She Heard
Screams in
Factory After 2
O'Clock
on Day of Murder.

***CONLEY A SURLY
NEGRO,***

***ASSERTS GIRL
WITNESS***

Ruby Snipes
Declares He

Tried to Get Money From Her at Spot Defense Says Mary Phagan Was Slain.

Two new affidavits for Frank's new trial hearing were disclosed Friday, the latest of which is one signed by Ruby Snipes, a 17-year-old working girl employee of the National Pencil factory, who tells a story of an attempt by Jim Conley to get money from her on the same spot at which the defense says the negro sweeper slew Mary Phagan.

The other is a document sworn by Mrs. J. B. Simmons, a former Atlanta resident, but who now lives in Birmingham, and who testifies that she heard screams issue from the National Pencil factory building between 2:20 and 2:30 o'clock on the afternoon of the Phagan murder, and that she made an affidavit to this effect before Solicitor Dorsey, but was never called to testify at the trial.

Asked Her for Money.

The Snipes girl, who lives at Hemphill Avenue and Curran Street, swears that during the month of April, 1911, two years before Mary Phagan was killed, she was coming from the second floor of the plant building and descended the stairway to the first floor. She carried a handbag, she stated, and, upon arriving on the ground floor, heard a voice call from behind her.

Upon turning, she says, she faced the Conley negro, who was within only a few paces of her, and who asked her for a quarter. She states that Conley, in making the request, pointed to the purse she swung from her fingers. She was startled, she says, and was in an excited state, when there came the sound of steps coming down the steps from the second floor.

At this, the girl swears, Conley wheeled around and walked away. Miss Snipes left the factory at once. She declares she afterwards told other girls at the factory of the incident, and forthwith learned that most of the girls of the plant were afraid of the negro because of his surliness.

Mrs. Simmons has made her affidavit and put it in the hands of C. W. Burke, the private investigator for the defense. She asserts that she was surprised that Solicitor Dorsey did not call her as a witness in the Frank trial. She says he appeared to put much faith in her story of the screams, and that he intimated strongly that she would be put on the stand to testify for the prosecution.

Frequent Conferences.

The air of mystery that has surrounded the attitude of Solicitor Hugh Dorsey toward the recent developments in the Frank case was heightened to an absorbing extent Friday by frequent conferences between the solicitor and important figures in the prosecution. To add to the mystery, no one would have anything to say to reporters.

First, Chief Newport A. Lanford, head of the detective department, was summoned to Dorsey's office at 3 o'clock. For an hour and thirty minutes he was closeted with the solicitor, during

which a stenographer attached to Dorsey's staff was called in. Whether a sworn statement was made by Lanford no one would say.

Later, a number of private investigators employed by Dorsey were taken into conference secretly. Following which, Detectives Starnes and Campbell, perhaps the most active figures in the solicitor's investigation of the Phagan murder were conferred with for considerable while. To complete the chain of secret caucuses, Attorney William M. Smith, Conely's counsel, was consulted for thirty minutes.

It became known Friday that Edward A. Stephens, who assisted Dorsey in the prosecution of Frank, had left Atlanta on a secret mission, admitted by members of the solicitor's staff to be in connection with the Frank case. Dorsey, himself, left Atlanta last night for a secret point which he would not divulge. It is said that Mr. Stephens is in Birmingham probing certain angles of recent developments.

Detective William J. Burns is expected to return to Atlanta either this morning or tonight. He comes directly from New York, where—including other northern cities—he has been investigating new angles of the Frank mystery. One of his first moves upon returning, it is reported, will be an effort to quiz Jim Conley in the Tower.

Snipes' Affidavit.

The Snipes affidavit follows:

State of Georgia v. Leo M. Frank—Conviction of murder.
Extraordinary motion for new trial in Fulton superior court.

Georgia, Fulton County—Personally appeared Ruby Snipes, residing at Hemphill Avenue and Curran streets, in the city of Atlanta, Fulton County, who, upon oath, deposes and says:

I am 17 years old and am employed at the National Pencil factory on Forsyth Street, in the city of Atlanta, Fulton County, Georgia, and have been so employed for about three years. In

said employment I came to know Jim Conley (colored), who was employed as sweeper in said pencil factory. The said Conley is now said to be confined in the Fulton County jail.

One evening in about the month of April, 1911, as I was leaving said pencil factory, at about 5:45 o'clock, and as I was about to go out of the street door. I heard a voice and stopped, turned around and saw the speaker was the said Jim Conley, the sweeper,

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and he was approaching me, and I asked what he wanted. He said, pointing at a purse that I had in my hand: "I want a quarter." I asked him why he expected me to give him a quarter, and at that moment footsteps were heard at the top of the stairs as if someone was coming down, and the said Conley turned around and walked back in the hallway, past the stairs. I waited a moment, and no one came down the stairs and I went on home.

I was nervous at the time, as I knew Conley to be a surly negro, and several of the other girl employees felt the same way about Conley.

I told others employed in the said pencil factory about this incident soon after it occurred; and now, being asked to make the statement under oath, I do so of my own free will.

RUBY SNIPES.

Sworn to and subscribed before me, this—day of—, 19—.

LEOPOLD HAAS, JR.

Notary Public, Fulton County, Ga.

Mrs. Simmons' Affidavit.

The following is the original affidavit made for the defense by Mrs. Simmons:

State of Alabama, County of Jefferson—Before me, Griffin Lamkin, a notary public in and for said state and county, comes Mrs. J. B. Simmons, known to or being made known to me, of Birmingham, Ala., who under oath deposes and says:

That on the 26th day of April, 1913, she was in Atlanta, Ga., and was calling at 25 West Alabama Street at the Atlanta Shoe company's place of business, and while there became involved in a religious argument with Mr. Barron's cousin, who she believes is called Riley, and the deponent believes it was about 2:20 or 2:30 o'clock p. m. when the discussion took place. Deponent says that the Decoration Day parade was in progress at the time of the argument referred to above and was moving down Whitehall Street and south on Hunter Street, toward Pryor Street. Deponent further says that between the hours of 2 p. m. and 3 p. m. she left the Atlanta Shoe company's place of business, going north up Alabama Street to Forsyth Street, and then passed the National Pencil Company's factory, it being her intention to go to 28 Haynes Street, where she had a temporary room. Deponent further says that when she got in front of the National Pencil company's factory, she heard a girl or woman screaming and crying and saying, "Please don't," and then heard the voice shut off suddenly, making a noise or sound much as though one person was holding their hand over the mouth of another person.

Deponent says when she heard the cries she stopped and listened and says the sound of the voice in distress apparently came from the basement of the said National Pencil company's building. Deponent believes the sound came from the basement of the building referred to because there is a grating in the front of the building and because it is open beneath the grating and because the doors facing the street of the building were all closed. And also because she noted an open place beneath the grating, which led into the basement of the building.

Thought It Was a Riot.

Deponent further says that at the time she heard the screaming of the girl or woman the thought occurred to her that some man was perhaps whipping his wife or that perhaps it was some negro riot, and after waiting a short and hearing no further similar sounds, deponent decided to go on to her destination. Deponent further says that as soon as she reached her home she related the circumstances herein to her son-in-law, who is Mr. A. B. Williams, and who was at that time living at 28 Haynes Street. Deponent further says that she thought no more of the incident or occurrence until the following morning when her son-in-law came into her room and told her that Mary Phagan had been murdered in the National Pencil company's factory.

Deponent further deposes and says that at the time she gave the information referred to herein to her son-in-law, that he insisted she should go before the solicitor general of Fulton County and give him the benefit of the information she had outlined to him— the same as she had outlined herein. Deponent says that on or about May 5 she was subpoenaed to appear before the solicitor general, who is Mr. Hugh Dorsey, and that she answered the subpoena, and made and signed a sworn statement in being taken by Mr. Dorsey in his own handwriting, and which set forth the same facts as described in this statement.

Deponent further deposes and says that the solicitor general tried very hard to induce her to swear that the screaming which

she heard was at a much later time in the day and he called her attention to the fact that Mr. Frank was not in the factory at the time deponent was describing and deponent told the solicitor general that she would not testify to anything except the truth, even though her testimony did not suit the solicitor. Deponent further says that she left her address with the solicitor general and fully expected that she would be subpoenaed to testify at the trial of Leo M. Frank, but she was never subpoenaed—the cause of which she does not yet understand. Deponent further deposes that she gives this information of her own free will and accord without any promise of a reward whatsoever.
